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Policy Reflection:

Boston University

For a library and its institution to properly advocate for both parties, in respect to intellectual property rights, it is necessary to develop a substantive policy that ensures that not only are all parties involved equally protected, but that the institution, its faculty, staff and students all have a fundamental understanding of intellectual property rights and laws – and a place in which they can reference them. The Boston University (BU) “Intellectual Property Policy” went into effect July 1, 2017 – this policy encompasses the libraries and the parent institution. Embodying Article IV of the American Library Association’s (ALA) “Code of Ethics,” (2008) which states that a “[w]e respect intellectual property rights and advocate balance between the interests of information users and rights holders.”

The BU Intellectual Property Policy does not provide any samples of intellectual property rights or freedom situations or guidance on how to properly maneuver them, nor does it cover underlying laws or principles. However, BU does provide the definition of intellectual property, patentable discoveries, and copyrightable works; as well information for faculty, staff and students about ownership, their legal protections and “other intellectual properties” (Boston University, 2017). This policy does an exceptional job defining the scope of ownership of intellectual property, within the General Policy Section A.1 and A.2. However, BU provides

more thorough information in Section B. describing specific circumstances in which intellectual property ownership may be questioned, such as B.7:

The university and [a] faculty member, staff member, or student may negotiate a specific written agreement for special project... Such agreements may reallocate rights...

Another area of this policy that provides thorough information is Section E. Royalties, which separates the division of net proceeds equally with a 1/3 to each: the inventor/author, University and “the academic units who supply the intellectual home and research support...” (BU, 2017). While this policy is comprehensive and thorough in aforementioned areas, it is limited when it comes to matters addressing twenty-first century issues, such as web usage, electronic resources, and technical protection of digital intellectual properties. Though the policy does provide faculty with a link to a handbook on “Faculty Involvement in University Digital Courses” which caters to the “development and deployment of digital learning technologies” (2016), the Boston University Intellectual Property Policy could be improved by including language that addresses twenty-first issues, two suggestions that could possibly be included are:

VIII. Technical Protection

- (a) *the University will endeavor to provide technical protection for intellectual property that is licensed for transfer for technological use by the public, by creating a barrier to access digital intellectual property for the use of the campus community: faculty, staff, and students who are enrolled in the University. Additional barriers will include limitations to copying, “screenshotting, downloads of digital content or access by third-parties.*
- (b) *Boston University shall monitor and review technological changes that may affect intellectual property rights and report to the owning faculty, employee, or student of changes. In case of disputes over ownership, and the rights of the intellectual property the appropriate school, college, center, and University Provost will resolve the matter.*

References Cited

American Library Association. (2008, January 22). *Professional ethics*. ALA

<http://www.ala.org/tools/ethics>

Boston University. (2016, February 10). *Faculty involvement in university digital courses*.

Faculty handbook. <http://www.bu.edu/handbook/ethics/faculty-involvement-in-university-digital-courses/>

Boston University. (2017, July 1). *Intellectual property policy*. Policies.

<https://www.bu.edu/academics/policies/intellectual-property-policy/>